

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	3:21-cr-00019-HDM-CSD
)	
vs.)	
)	MINUTES OF COURT
GAIL MANNEY,)	
)	November 18, 2022
Defendant.)	
	/	

**PROCEEDINGS: EVIDENTIARY HEARING
RE: DEFENDANT’S MOTION TO SUPPRESS (ECF NO. 32)**

**PRESENT:
THE HONORABLE HOWARD D. McKIBBEN, SENIOR U.S. DISTRICT JUDGE**

Deputy Clerk: Paris Rich Reporter: Kathryn French

Counsel for Plaintiff: Megan Rachow, AUSA and Andrew Keenan, AUSA

Counsel for Defendant: Kate Berry, AFPD and Chris Frey, AFPD

At 9:00 a.m., the Court convenes.

The Defendant (on bond) is present with counsel. Christian Filipiak, APFD Investigator, is also present at counsel table.

The Government’s counsel is present with Josh Caron, Special Agent, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

The Court states the Defense applications for subpoenas will be issued this date. The Court further addresses the Defendant’s Motion in Limine to Preclude Certain Evidence (ECF No. 59). Ms. Rachow states the Government will be filing a written response to the Motion early next week. The Court acknowledges and recites preliminary judgment on the Motion.

JOSHUA CARON, Special Agent, Bureau of Alcohol, Tobacco, Firearms, and Explosives, called on behalf of the Government, is sworn, examined on direct by Ms. Rachow, examined by the Court, cross-examined by Ms. Berry, and released subject to recall.

IT IS ORDERED that the Government’s Exhibits 1, 2, 3, 4, and 5 are received into evidence.

IT IS ORDERED that the Defendant’s Exhibits 501A, 501B, 502, 503, 504, 505, 506, 507, 508, 509, and 510 are received into evidence.

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At 10:25 a.m., the Court stands at recess.

At 10:45 a.m., the Court reconvenes. All parties are present.

JOSHUA CARON, Special Agent, Bureau of Alcohol, Tobacco, Firearms, and Explosives, resumes the witness stand, is further cross-examined by Ms. Berry, and excused.

The Government rests.

The Defense has no witnesses to present. The Defense rests.

The Government waives argument and reserves on rebuttal argument.

Ms. Berry presents argument.

Ms. Rachow presents brief rebuttal argument.

The Court recites findings and conclusions.

IT IS ORDERED that the Defendant's Motion to Suppress (ECF No. 32) is DENIED. IT IS SO ORDERED.

The Court addresses preliminary rulings relating to the Defendant's Motion In Limine to Preclude Certain Evidence (ECF No. 59).

The Court and counsel briefly discuss the proposed jury instructions and voir dire due on Monday, November 21, 2022 by 4:00 p.m. and the proposed trial schedule.

IT IS ORDERED that Jury Trial (2-3 day estimate) remains set for Tuesday, November 29, 2022 at 9:00 a.m. in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS SO ORDERED.

The Defendant is continued on all present terms of release.

At 11:55 a.m., the Court adjourns.

DEBRA K. KEMPI, CLERK

By: /s/ Paris Rich
Deputy Clerk